

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: June 19, 2009

Signature:   
Heather R. Kissling

Docket No.: 30986/40924  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Martin A. Crockard et al.

Application No.: 10/570,588

Confirmation No.: 7390

Filed: September 2, 2004 as International (PCT)  
Application No. PCT/GB04/03773

Art Unit: 1645

For: Diagnosis of Risk of Breast Cancer

Examiner: Not Yet Assigned

**RENEWED PETITION UNDER 37 C.F.R. § 1.181**

Mail Stop: PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
ATTN: Office of PCT Legal Administration

Dear Madam:

Applicants respectfully request reconsideration of the Decision to dismiss (April 21, 2009) without prejudice Applicants' Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action (Notification of Defective Response) Pursuant to M.P.E.P. § 711.03(c)(I) and 37 C.F.R. § 1.181, filed on March 24, 2009. Petitioner hereby renews the petition under the provisions of 37 C.F.R. § 1.137(e) to revive the application. For the reasons set forth below, the petition should be granted and the application should be returned to *ex parte* prosecution.

**I. Statement of Facts**

1. The U.S. Patent and Trademark Office ("the Office") mailed a Notification of Missing Requirements (Exhibit A) in the above-identified application to the Applicants on

November 22, 2006 (received by Applicants on December 7, 2006). The Notification of Missing Requirements indicated that the following items should be supplied to the Office within an extendable two-month period for response:

- a. An oath or declaration signed by all inventors;
- b. A surcharge under 37 C.F.R. §1.492(h) for \$130;
- c. A statement that the contents of the sequence listing recorded in computer-readable form is identical to the written sequence; and
- d. A copy of the sequence listing in computer-readable form.

2. Applicants timely responded to Notification of Missing Requirements on January 19, 2007, by U.S. First Class Mail. The response included:

- a. A response to the Notification of Missing Requirements (with fees);
- b. An oath or declaration signed by all inventors;
- c. A paper copy of a sequence listing;
- d. A copy of the sequence listing in computer-readable form;
- e. A statement that the contents of the sequence listing recorded in computer-readable form is identical to the written sequence; and
- f. A copy of the Notification of Missing Requirements.

The response to the Notification of Missing Requirements was stamped as received by the Office on January 22, 2007. Copies of these documents are enclosed herewith as Exhibit B.

3. The Office allegedly issued a Notification of Defective Response in the above-identified application on August 24, 2007. The Notice alleged that the computer-readable form of the sequence listing supplied by Applicants failed to comply with 37 C.F.R. §§ 1.822 and/or 1.823 in that no file was contained on the computer-readable media supplied by Applicants (Exhibit C). A non-extendable, one-month period for replying to the Notification of Defective Response was allegedly set by the Office to expire on September 24, 2007.

4. The Notification of Defective Response was not received by the undersigned or the undersigned's firm, Marshall, Gerstein & Borun LLP. A search of the firm's file

corresponding to this application and firm's docketing records indicates that the Notification of Defective Response was not received.

5. It is the standard practice of Marshall, Gerstein & Borun LLP to record all Notifications of Defective Responses and other Office Actions on the file jacket of the file corresponding to an application when such Notices or Actions are received. A copy of the file jacket for this application is attached hereto as Exhibit D. If the Notification of Defective Response had been received, an indication of the Notification of Defective Response, its mailing date, and the one-month due date would have been recorded on the file jacket in the left-hand column, as was done for the original Notification of Missing Requirements. The absence of any notations concerning the Notification of Defective Response demonstrates that the Notice was never received.

6. It is another standard practice of Marshall, Gerstein & Borun LLP to record all Notifications of Defective Response and other Office Actions from the Office in an electronic docketing system as soon as they are received. A copy of the electronic docket report for this application is attached hereto as Exhibit E. The electronic docket report has no entry with respect to the Notification of Defective Response, which indicates that it was not received by Marshall, Gerstein & Borun LLP. If the Notification of Defective Response had been received, a one-month response due date of September 24, 2007, would have been recorded in the "Docket Dt." and "Due Date" columns on the second page of the docket report with a code of "RESP" in the "Action" column.

7. It is another standard practice of Marshall, Gerstein & Borun LLP to record all Notifications of Defective Response and other Office Actions received from the Office on a handwritten log on a daily basis. A copy of a portion of the handwritten log used by the docketing department of Marshall, Gerstein & Borun LLP is attached hereto as Exhibit F. All Notifications of Defective Response and other Office Actions received each day by Marshall, Gerstein & Borun LLP are entered into the log by the attorney docket numbers, the Patent Application Numbers, codes indicating the types of actions, and the due dates for replying to the actions. Exhibit F includes a copy of the handwritten log of Marshall, Gerstein & Borun LLP from August 22, 2007, to October 24, 2007. If the Notification of Defective Response had been received by Marshall, Gerstein & Borun LLP between these dates, it would have been recorded on one of the pages in Exhibit F with a code "\*COM" or

“RESP” and the one-month date of September 24, 2007, under attorney docket number 30986/40924. There is no entry for the Notification of Defective Response.

8. To the best of my knowledge, Marshall, Gerstein & Borun LLP first became aware of the Notification of Defective Response when investigating the Notice of Abandonment during the week of March 16, 2009, when the file wrapper for the case was reviewed on PAIR. The firm promptly filed the initial petition to withdraw the holding of abandonment on March 24.

9. In a decision dated April 21, 2009, the Office dismissed Applicants’ petition to withdraw the holding of abandonment without prejudice, and set an extendable two-month period to renew the petition. The Office held the petition of March 24, 2009, to be deficient because the docket record supplied in support of the petition was allegedly insufficient to comply with M.P.E.P. § 744.03(c)(I)(A). According to the Office, “[p]etitioner must provide a copy of the master docket record for the practitioner’s firm, listing all replies docketed for the due date for reply to the Notification of Defective Response,” which the Office alleged is September 24, 2007. (See Decision, pages 2-3).

10. Attached hereto as Exhibit G is a master docket record for Marshall, Gerstein & Borun LLP, listing all replies docketed for September 24, 2007. Exhibit G contains the master docket record for both pending applications (“Master Patent Application Docket”) and patents issued as of May 14, 2009 (“Master Issued Patent Docket”), which may have resulted from patent applications pending on September 24, 2007. It is a standard practice of Marshall, Gerstein & Borun LLP to record due dates for replying to all Notifications of Defective Response and other Office Actions in an electronic docketing system as soon as they are received. The master docket record has no entry with respect to the Notification of Defective Response, which indicates that it was not received by Marshall, Gerstein & Borun LLP. If the Notification of Defective Response had been received, the master docket list would contain an entry for a response to the notification. There is no entry for a response to the Notification of Defective Response, further confirming the other evidence of record that the Notification was never received.

**II. Petitioner's Showing Satisfies M.P.E.P. § 711.03(c)(I) and 37 C.F.R. § 1.181 And, Therefore, The Renewed Petition Should Be Granted.**

This renewed petition is submitted in response to the Notice of Abandonment dated March 10, 2009, and the dismissal of the petition dated April 21, 2009. The Notice of Abandonment indicated that the present application was abandoned for failure to respond to the Notification of Missing Requirements (mailed on November 22, 2006). Applicants, however, timely responded to the Notification of Missing Requirements on January 19, 2007, and received no further correspondence from the Office in this matter until receipt of the Notice of Abandonment on March 16, 2009.

After receipt of the Notice of Abandonment, the undersigned law firm reviewed its file to verify that a response to the Notice was filed, and further reviewed the Office's electronic file wrapper on the PAIR website. The review of PAIR revealed a "Notification of Defective Response" which was allegedly mailed on August 24, 2007 (mail date specified on Notification). Applicants, however, did not receive the Notification of Defective Response, and this Notification is not mentioned in the Notice of Abandonment. In view of Applicants' *bona fide* response to the Notification of Missing Requirements and failure to receive any Notification of Defective Response, Applicants request that the holding of abandonment be withdrawn.

Applicants submit that the guidelines for granting a "Petition to Withdraw Holding of Abandonment" outlined in chapter 711.03(c)(I)(A) of the Manual of Patent Examining Procedure have been satisfied. In this regard, Applicants have

- (a) described "the system used for recording an Office action received at the correspondence address of record" (Statement of Facts (SF) 5-7 and 10);
- (b) established that the docketing system is sufficiently reliable (SF 5-7 and 10);
- (c) established that the Notification of Missing Requirements was not received at the correspondence address of record (SF 4 and 8);
- (d) provided copies of "record(s) used by the practitioner where the non-received Office action would have been entered had it been received," which indicate that the notice was not received (SF 5-7 and 10); and

(e) provided a copy of the master docket record showing all replies docketed for the due date set by the Office for responding to the Notification of Defective Response, which lacks an entry for a response to the notification (SF 10).

In addition, Applicants submit herewith a copy of the response to the Notification of Defective Response filed March 24, 2009, which included a copy of the sequence listing in computer-readable form (a .txt file), a copy of the sequence listing in paper form, and a statement that the content of the sequence listing supplied in computer-readable form is identical to the paper sequence (Exhibit H). An Amendment seeking entry of the substitute sequence listing is submitted herewith. The formal requirements set forth in M.P.E.P. § 711.03(c)(I)(A) have been satisfied, and the petition should be granted.

### III. Conclusion

In view of the foregoing, Applicants respectfully request withdrawal of the holding of abandonment and return of the application to *ex parte* prosecution. If, in the opinion of the examiner, a telephone conference would expedite return of the application to active status, the examiner is invited to contact the attorney listed below.

While Applicants believe that no fees are required for this submission, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith, including the issue fee, to our Deposit Account No. 13-2855, under Order No. 30986/40924.

Dated: June 19, 2009

Respectfully submitted,

By: 

Heather R. Kissling

Registration No.: 45,790

MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive, Suite 6300

Sears Tower

Chicago, Illinois 60606-6357

(312) 474-6300

Agents for Applicant

## **Exhibit A**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/570,588	Martin A. Crockard	30986/40924

INTERNATIONAL APPLICATION NO.
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PCT/GB04/03773

LA. FILING DATE	PRIORITY DATE
09/02/2004	09/03/2003

04743  
MARSHALL, GERSTEIN & BORUN LLP  
233 S. WACKER DRIVE, SUITE 6300  
SEARS TOWER  
CHICAGO, IL 60606

CONFIRMATION NO. 7390

371 FORMALITIES LETTER



\*OC000000021327992\*

Date Mailed: 11/22/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/03/2006
- Copy of the International Search Report filed on 03/03/2006
- Copy of IPE Report filed on 03/03/2006
- Preliminary Amendments filed on 03/03/2006
- Biochemical Sequence Listing filed on 03/03/2006
- U.S. Basic National Fees filed on 03/03/2006
- Priority Documents filed on 03/03/2006
- Specification filed on 03/03/2006
- Claims filed on 03/03/2006
- Abstracts filed on 03/03/2006
- Drawings filed on 03/03/2006
- Paper nucleotide sequence listings filed on 03/03/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.



**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

FREDERICK SMITH

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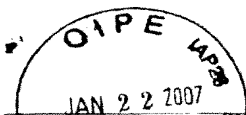
Telephone: (703) 308-9140 EXT 210

PART 2 - OFFICE COPY

U S APPLICATION NUMBER NO	INTERNATIONAL APPLICATION NO	ATTY DOCKET NO
10/570,588	PCT/GB04/03773	30986/40924

FORM PCT/DO/EO/905 (371 Formalities Notice)

## **Exhibit B**



IAP13 Rec'd PCT/PTO 22 JAN 2007 PCT

I hereby certify that this paper (along with any paper referred to as being attached enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to MS 1450, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated January 19, 2007

Signature

(Nabeela R. McMillian)

Docket No.: 30986/40924  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Martin A. Crockard et al.

Application No.: 10/570,588

Filed: March 3, 2006

For: Diagnosis of Risk of Breast Cancer

Confirmation No.: 7390

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date. Granted mailed November 22, 2006, Applicant respectfully submits a Combined Declaration and Power of Attorney, a Sequence Listing Diskette, a Sequence Listing Paper Copy, and Part 2 Copy of Notice.

Our check in the amount of \$130.00 covering the fee set forth in 37 CFR 1.16(f) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper

01/24/2007 ATRAM1 00000085 10570588

01 FC:1617

130.00 0P

Application No.: 10/570,588

Docket No.: 30986/40924

hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 30986/40924. A duplicate copy of this paper is enclosed.

Dated: January 19, 2007

Respectfully submitted,

By   
Nabeela R. McMillian

Registration No.: 43,363  
MARSHALL, GERSTEIN & BORUN LLP  
233 S. Wacker Drive, Suite 6300  
Sears Tower  
Chicago, Illinois 60606-6357  
(312) 474-6300  
Attorney for Applicant

USA

DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of subject matter which is claimed and for which a patent is sought on an invention entitled  
**DIAGNOSIS OF RISK OF BREAST CANCER**

the specification of which ☐ is attached hereto or

☐ was filed on 2 SEP 04 as United States Application Number or PCT International Application  
 Number PCT/GB04/03773 and was amended on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for a patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application Number(s)	Country	Foreign Filing Date	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
0320648.9	GB	3 SEP 03	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Direct all correspondence to:  
 Marshall, Gerstein & Borun  
 6300 Sears Tower  
 233 South Wacker Drive  
 Chicago  
 Illinois  
 60606-6357  
 United States of America

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C 1001 and that such willful false statements may jeopardise the validity of the application or any patent issued thereon.

Full name of sole or First Inventor Martin Andrew CROCKARD

Inventor's signature



Residence address Co. Antrim, BT29 4QY, Northern Ireland.

Post Office address

Radox Laboratories Ltd. Ardmore, Diamond Road, Crumlin  
Co. Antrim, BT29 4QY, Northern Ireland.

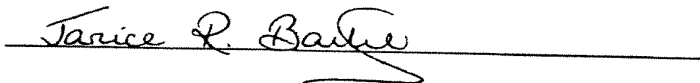
Country of Citizenship United Kingdom

Date of signature 16-05-06

Full name of Second Inventor

Janice Roberta BAILIE

Inventor's signature



Residence address Co. Antrim, BT29 4QY, Northern Ireland.

Post Office address

Radox Laboratories Ltd. Ardmore, Diamond Road, Crumlin  
Co. Antrim, BT29 4QY, Northern Ireland.

Country of Citizenship United Kingdom

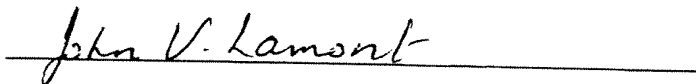
Date of signature

<sup>6.5.06</sup>  
29<sup>th</sup> March 2006

Full name of Third Inventor

John Victor LAMONT

Inventor's signature



Residence address Co. Antrim, BT29 4QY, Northern Ireland.

Post Office address

Radox Laboratories Ltd. Ardmore, Diamond Road, Crumlin  
Co. Antrim, BT29 4QY, Northern Ireland.

Country of Citizenship United Kingdom

Date of signature


29<sup>th</sup> March 2006

H:\PFD\FORMS\US--.POA

Full name of  
Fourth Inventor

Stephen Peter FITZGERALD

Inventor's signature



Residence address

Co. Antrim, BT29 4QY, Northern Ireland.

Post Office address

Radox Laboratories Ltd. Ardmore, Diamond Road, Crumlin  
Co. Antrim, BT29 4QY, Northern Ireland.

Country of Citizenship United Kingdom

Date of signature 15.5.06



# SEQUENCE LISTING

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<130> 30986/40924

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<141> 2006-03-03

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 35 40 45

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Crockard et al.	)	I hereby certify that this paper is being
Serial No: 10/570,588	)	deposited with the United States Postal
Filed: March 3, 2006	)	Service as first class mail, postage prepaid,
Title: Diagnosis of Risk of Breast Cancer	)	in an envelope addressed to Mail Stop
Group Art Unit: Not Yet Assigned	)	Missing Parts, Commissioner for Patents,
Examiner: Not Yet Assigned	)	P.O. Box 1450, Alexandria, VA 22313-1450 on
	)	
	)	DATE: January 19, 2007
	)	
	)	
	)	Nabeela R. McMillian
	)	
	)	

STATEMENT UNDER 37 C.F.R. §§1.821(f)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

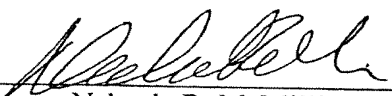
Sir:

I hereby state that the content of the paper and computer-readable copies of the Sequence Listing, submitted herewith in accordance with 37 C.F.R. §§1.821 and 1.825, are the same and include no new matter.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP  
6300 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606  
(312) 474-6300

By:

  
Name: Nabeela R. McMillian  
Registration No.: 43,363  
Attorney for Applicants

Date: January 19, 2007



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/570,588	FIRST NAMED APPLICANT Martin A. Crockard	ATTY. DOCKET NO. 30986/40924
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04743  
 MARSHALL, GERSTEIN & BORUN LLP  
 233 S. WACKER DRIVE, SUITE 6300  
 SEARS TOWER  
 CHICAGO, IL 60606

RECEIVED

DEC 07 2006

COPY

MARSHALL GERSTEIN

INTERNATIONAL APPLICATION NO. PCT/GB04/03773	
LA. FILING DATE 09/02/2004	PRIORITY DATE 09/03/2003

CONFIRMATION NO. 7390  
 371 FORMALITIES LETTER  
  
 \*0C000000021327992\*

Date Mailed: 11/22/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/03/2006
- Copy of the International Search Report filed on 03/03/2006
- Copy of IPE Report filed on 03/03/2006
- Preliminary Amendments filed on 03/03/2006
- Biochemical Sequence Listing filed on 03/03/2006
- U.S. Basic National Fees filed on 03/03/2006
- Priority Documents filed on 03/03/2006
- Specification filed on 03/03/2006
- Claims filed on 03/03/2006
- Abstracts filed on 03/03/2006
- Drawings filed on 03/03/2006
- Paper nucleotide sequence listings filed on 03/03/2006

Docketed: 1-22-07

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

FREDERICK SMITH

---

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/570,588	PCT/GB04/03773	30986/40924

FORM PCT/DO/EO/905 (371 Formalities Notice)

## **Exhibit C**



UNITED STATES PATENT AND TRADEMARK OFFICE

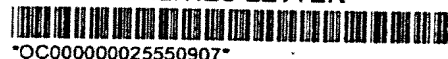
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	AITY DOCKET NO.
10/570,588	Martin A. Crockard	30986/40924

4743  
MARSHALL, GERSTEIN & BORUN LLP  
233 S. WACKER DRIVE, SUITE 6300  
SEARS TOWER  
CHICAGO, IL 60606

INTERNATIONAL APPLICATION NO.	
PCT/GB04/03773	
I.A. FILING DATE	PRIORITY DATE
09/02/2004	09/03/2003

CONFIRMATION NO. 7390  
371 FORMALITIES LETTER



Date Mailed: 08/24/2007

**NOTIFICATION OF DEFECTIVE RESPONSE**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 03/03/2006
- Copy of the International Search Report filed on 03/03/2006
- Copy of IPE Report filed on 03/03/2006
- Preliminary Amendments filed on 03/03/2006
- Biochemical Sequence Diskette filed on 01/22/2007
- Oath or Declaration filed on 01/22/2007
- Biochemical Sequence Listing filed on 01/22/2007
- U.S. Basic National Fees filed on 03/03/2006
- Priority Documents filed on 03/03/2006
- Specification filed on 03/03/2006
- Claims filed on 03/03/2006
- Abstracts filed on 03/03/2006
- Drawings filed on 03/03/2006
- Paper nucleotide sequence listings filed on 03/03/2006

Applicant's response filed 01/22/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 11/22/2006 have not been completed.

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this



Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/570,588	PCT/GB04/03773	30986/40924

## SCORE

### CRF Problem Report

SCORE experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 10576586  
Filing Date: 1/22/07  
Date Processed by SCORE: 7/30/07

Contact: Electronic Business Center: Telephone: 866-217-9197

#### Nature of CRF Problem:

- ☐ (circle one) Damaged or Unreadable  
☒ Blank (no files on CRF)  
☐ Empty file (filename present, but no bytes in file)  
☐ Wrong file saved to CRF (invention title, docket number, or applicant(s) do not match those in official application)  
☐ Not saved in ASCII text  
☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should **only** be the Sequence Listing.  
☐ Did not contain a Sequence Listing.  
☐ Other:

**PLEASE USE THE CHECKER VERSION 4.4.0 PROGRAM TO REDUCE ERRORS.  
SEE BELOW FOR ADDRESS:**

<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):  
U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Revised 01/20/06

## **Exhibit D**

ORNEY(S): DAG/MPB/HRK

410924

.OUP#

**INVENTOR** Martin A. Crockard, Janice R. Bailie,  
John V. Lamont, and Stephen P. Fitzgerald

**TITLE**

## Diagnosis of Risk of Breast Cancer

JAL NO: 10/570588

~~EXECUTED~~

Express

FOR'D 3-3-06

FILED: 3-306

[illegible]

nee: Randox Laboratories Ltd

State of Inc.: Ireland

st: Assignment For'd: 1/19/07 *W*

Recorded: 1/23/07

Γο:

Reel: 018830 Frame(s): 0512

/ed:

Sent Final Fee:

Patent:

Sent Patent To:

ISSUED

NAME: Yockana et al

SERIAL NO

FILED

## **Exhibit E**

PM1001  
Docket Number: 40924

Application Entry / Update  
US UNITED STATES

11:03:49 3/23/09  
Status:

Title DIAGNOSIS OF RISK OF BREAST CANCER

Type:

Related Docket Numbers

Inventors: CROCKARD ET AL.

Client:

30986 GILL JENNINGS & EVERY

Owner Ref#: JWJ01047US

Carton Number:

Date Forwarded: 3/03/06 Appl.Complete?

CPA Filing:

PCT Flag:

Priority Dt/No.:

Not. of Appeal Date/No.:

Interference Number:

Agent:

Tax Service:

Based on: PCT/GB04/03773 9/2/04

GB 0320648.9 9/3/03

Date Added: 2/27/2006

Attorneys: DAG MPB HRK

Convention: N

Small Entity:

Confirm.No.:

Serial Number: 10/570588

Group: 0 Date Filed: 3/03/06

IDS Sent? Y

Appl.Allowed:

Issue Fee Paid:

Publication Dt:

Publ.No:

Assignee: RANDOX LABORATORIES LTD.

Reel/Frame: 018830/0512

Recorded: 1/23/07

ENTER-Accept F1-Actions F5-No Update F9-Issue F11-Chg# F24-Delete

PM1003

## Patent Actions

11:03:53

3/23/09

**GILL JENNINGS & EVERY****US**Docket: **40924**

SEQ	Docket Dt.	Due Date	Action	Reply Date	Reply
003	05/03/06	05/03/06	RCPT		RECEIPT NOT YET RECEIVED
004	03/03/07	03/03/07	STAT	03/15/07	OFF PER JAW DOCKET
006			FRWD	03/03/06	INT.APP;PRE.AMDT W/APP
007	06/03/06	06/03/06	*INF	01/19/07	INFORMATION DISCLOSURE W/CN
008	06/03/06	06/03/06	ASSN	01/19/07	FWR'D ASSN FOR RECORDAL W/C
009	01/22/07	01/22/07	*COM	01/19/07	E.DECL;STMT,SEQ.LIST/DISK W/
010			RECD	03/11/09	NOTIFICATION OF ABD
011	05/11/09	05/11/09	RESP		REQ.W/DRAW HOLDING OF ABD

.000

ENTER-Add/Update line F1-Return F5-New Record Roll Up/Roll Down

## **Exhibit F**



8/22/07

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30780139844	11/130668	POA1	11/17/07	✓
06085140122	10/853655	PUP2	11/17/07	✓
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8/23/07

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8/24/07

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8/27/07

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29621160007	11/166482	POA1	11/20/07	✓

*Paul*

8/27/07

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28489/36749B 11/408727 PCA 11/21/07 ✓  
28594/414530 10/758939 PCA 11/21/07 ✓  
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30833/60007 7873266 Supp. 2.21/27/08 ✓  
30527/60007 77177814 PUA 2/27/08 ✓

8/28/07

30930/40677A 11/838100 XCM 10/22/07 ✓  
0107/40457C 08/444791 Reg. Intermed. 10/22/07 ✓  
28444/41869 29/253782 ISSP 11/21/07 ✓  
29/71/42221A 11/779815 XCM 10/22/07 ✓  
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30051/41958 11/417005 Noncompl. 9/22/07 ✓  
31288/30000 11/697351 XCM + 6/6/9/07 ✓

8/29/07

31140/MA233 11/836571 XCM 10/22/07 ✓  
30835/40595 11/020329 PCA 11/21/07 ✓  
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*Handwritten signature*

8/29/07

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8/30/07

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28014/51357 77/190744 PUA 2/29/08 ✓  
28014/51369 77/210539 PUA 2/29/08 ✓

8/31/07

27087/40032A 11/076486 PUP 11/22/07 ✓

9/4/07

30833/60002 78/530081 XUSE 2/28/08 ✓

AN

9/4/07

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31146/441473 10/327058 POP2 11/28/07 ✓  
78049/134 77/190738 PDA 3/1/08 ✓  
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31173/40001 10/095248 POA1 11/27/07 ✓  
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9/5/07

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06005/39827 10/545117 POA1 11/27/07 ✓  
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28944/42429 29/270651 Geyk 10/31/07 ✓  
28489/40530 10/512661 POP2 11/30/07 ✓  
27754/26928 10/590620 POA1 11/30/07 ✓

11/03/2390 AFM/rhonor 10/29/07 ✓  
9/6/07

28944/42418 29/270735 ISS 11/30/07 ✓  
28944/42412 29/270712 ISS 11/30/07 ✓  
28944/42428 29/270653 ISS/POA 11/30/07 ✓  
28944/42414 29/270680 ISS/POA 11/30/07 ✓  
28930/42424 11/164785 POA1 11/30/07 (831/07) ✓  
28944/42420 29/270645 ISS/POA 11/30/07 ✓

PM

9/6/07  
 284442430 29/270767 ~~SSA~~ Augs 11/30/07 ✓  
 270238150A 11/358285 PUA 1 11/28/07 ✓  
 27702110059 10/786793 CABO 9/30/07 ✓  
 0107/39806A 11/106075 POP2 11/30/07 ✓  
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 3088210025 10/542412 ~~SSA~~ 11/30/07 ✓  
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 3009/60843 77/188082 PUA 3/6/08 ✓  
 2989/61610 77/201093 PUA 3/6/08 ✓

9/10/07  
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9/14/07  
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9/11/07

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*[Signature]*

9/11/07  
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 2807481359 60/957579 KAI 1d/30/07 ✓  
 3083513101915 11/143385 KAI 1d/11/07 ✓

9/12/07  
 3288403 8H5 9/4/17 ✓  
 3287915 RUS 9/4/17 ✓  
 29105140749 1d58966 Salsu 1d/30/07 ✓  
 3100162032 77/069722 KUSF 3/4/08 ✓  
 2943913078F 10/886721 Salsu 12/5/07 ✓  
 2993414044A 11/137885 Salsu 12/5/07 ✓  
 3005462005 77/033211 KUSF 3/4/08 ✓  
 3005462006 77/033264 KUSF 3/4/08 ✓  
 3005140913 11/890033 KAI 11/5/07 ✓  
 19034141172 1d535715 Salsu 12/6/07 ✓  
 30835140478 11/021021 KAI 12/6/07 ✓  
 28405141187 11/166482 KAI 12/6/07 ✓  
 300513018 11/240404 KAI 12/6/07 ✓  
 2934720352 11/052350 KAI 12/7/07 ✓  
 317413001 1d473557 KAI 12/7/07 ✓  
 2947311889A 1d748033 KAI 12/7/07 ✓  
 30293141343 11/151123 KAI 12/7/07 ✓  
 294812052 29/257457 KAI 12/5/07 ✓  
 300241494 29/240089 KAI 12/5/07 ✓  
 30935140351 11/202126 KAI 1d/5/07 ✓  
 2934720003 1d030277 KAI 12/5/07 ✓  
 3048130004 1d483938 KAI 12/5/07 ✓

✓

9/12/07

31173/61720	10/582779	KA1	12/5/07	✓
29939/39078E	1d886749	POA1	12/5/07	✓
28363/41077	11/367267	KA1	12/5/07	✓
29936/41857	11/434414	BSA1	12/5/07	✓
29337/PP6548	29/264976	CABO	1d/4/07	✓
30931/250200	11/301376	POA1	12/4/07	✓
29931/0405A	11/12051	CABO	10/4/07	✓
30106/39657	11/339135	PO2	12/4/07	✓
28341/00495A	10/348066	BSA1	10/6/07	TRANS
28506/39317A	11/054574	POA1	12/6/07	✓
27708/39955	10/887937	PO2	12/6/07	✓
30058/62050	77/187150	POA	3/12/08	✓
	10045748	KA1	11/7/07	✓

9/12/07

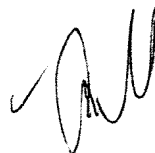
28767/3444B	10/792480	POA1	12/7/07	✓
29906/38622	10/197180	PO2	12/7/07	✓
29925/41077	11/081151	BSA1	12/10/07	✓
28646/42610	11/660293	KA1	11/7/07	✓
31118/040408A	11/844626	POA1	11/7/07	✓
31203/30074	11/197378	POA1	12/10/07	✓

9/14/07

28506/38697	10/338316	BSA1	12/6/07	✓
30320/419117	10/882906	BSA1	10/6/07	✓
29100/160001A	1d802940	POA1	12/10/07	✓
29175/12497A	11/042947	POA1	12/10/07	TRANS
30205/31573	10/719083	BSA1	12/10/07	✓
31174/30000	04/463024	POA1	12/10/07	✓
29925/143007	11/450096	POA1	12/10/07	✓
30466	10/409313	PO2	12/10/07	TRANS
29827/3836A	10/511193	POA1	12/10/07	✓
30706/78882L	10/240625	POA1	9/11/07	✓
30706/19691M	11/224805	BSA1	10/16/07	✓

9/17/07

29017/EX022	29/284151	KA1	11/10/07	✓
29448/35437B	11/612303	POA1	12/10/07	✓



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29021/60036A	29/249765	SSSP	12/10/07	✓
28107/34140A3	10/792480	PWA	12/17/07	✓
29021/60035A	29/249763	SSSP	12/10/07	✓
27490/602243	10/833429	SSSP	12/17/07	✓
29887/40753	10/521292	Rep/loran	11/10/07	✓
29881/40643	10/514934	PUP2	12/10/07	✓
30766	10/439534	PWA	12/10/07	✓
29925/43008	11/450789	SSSP	12/10/07	✓
29925/41995	11/450764	SSSP	12/10/07	✓
29021/60037A	10/469443	PUP2	12/10/07	✓
28335/41335	11/145035	OABO	10/10/07	✓
28489/42433	29/208045	SSSP	12/10/07	✓
30521/3104	11/275503	SSSP	12/10/07	✓
20021/41881	11/305276	PWA	12/10/07	✓
01021/37109A	10/347051	PWA	12/17/07	✓
30835/40022	11/074500	PWA	12/17/07	✓
31040/41717	11/288929	SSSP	12/17/07	✓
31040/41887	10/564901	PWA	12/17/07	✓
30530/40772C	11/643562	PWA	12/16/07	✓
30875/39376	10/777423	PWA	12/10/07	✓
	901007676	2 Mon/M Fri	11/18/07	avg + ✓
30406	10/627556	PUP2	12/10/07	✓
31174/30000A	11/209429	PWA	12/10/07	✓
28107/40835B	11/669117	PWA	12/10/07	✓
30005/301713	11/275567	PUP2	12/10/07	✓
30320/18040A	11/734531	PWA	12/10/07	✓
29021/60041A	29/249768	SSSP	12/10/07	✓
31174/60015	77/192159	PWA	3/15/08	✓
29011/60001	77/195924	PWA	3/17/08	✓

9/18/07

3292186	RMust	5 9/11/07	✓	
30005/38576A	11/495984	PWA	12/10/07	✓
29930/40366	11/159733	SSSP	12/10/07	✓
29021/60041A	29/249768	SSSP	12/10/07	✓
27392/24692	10/467688	PUP2	12/10/07	✓

Handwritten signature or initials.



9/18/07

29444/41815 11/300832 POA 12/12/07 ✓  
01027/40551 10/963986 POA 12/10/07 ✓  
29544/36481 09/73359 POA 12/11/07 ✓  
10/253967 Res. Review/AFG 11/11/07 ✓  
79/031696 PTOA 11/11 + 3/11/08 ✓  
30106/60009 77/049132 RUSF 3/11/08 ✓  
78/523117 RUSF 3/11/08 ✓  
01027/3693813 11/891031 XCOM & HANS 11/11/07 ✓  
29444/407485 11/665462 XCOM 11/11/07 ✓  
19036/3601413 11/241035 NonComp. 10/11/07 ✓  
29444/41334 11/671564 SSGM 12/11/07 ✓  
30744/60000 76/563974 RUSF 3/11/08 ✓  
30444/600600 77/208807 PTOA 3/18/08 ✓  
31244/6000 77/117270 PTOA 3/18/08 ✓

9/19/07

29488/41815 11/839433 XCOM 10/23/07 ✓  
30444/61753 77/186848 PTOA 3/12/08 ✓  
28444/41339 11/144279 Issf/Rbl 12/12/07 ✓  
23004/40028 10/493085 Issf/Rbl 12/12/07 ✓  
06005/641915 11/848843 XCOM 11/12/07 ✓  
06005/661806A 11/841423 XCOM 11/12/07 ✓  
28384/36668 09/640737 POF2 12/12/07 ✓  
29516/36392 09/455877 POA1 12/12/07 ✓  
28335/39524A 10/650449 OA30 10/12/07 ✓  
27392/27614 10/621542 POF2 12/11/07 ✓  
18004/36273A 11/080723 POA1 12/13/07 ✓  
29425/41317 11/152575 OA30 10/17/07 ✓  
30660/42473 29/25009 POA1 12/12/07 ✓  
29618/20028 11/096939 POA1 12/13/07 ✓  
30205/42168 11/481299 POA1 12/13/07 ✓  
30658/40659 11/253474 POF2 12/13/07 ✓  
19036/38799A 11/00285 POA1 12/12/07 ✓  
06005/38042 10/310416 Issf/Rbl 12/13/07 ✓  
29488/36479 09/715872 POF2 12/13/07 ✓  
27611/34525E 11/404280 OA30 10/13/07 ✓  
29610/CDT334 10/519899 POF2 12/13/07 ✓

PHU

9/19/07

29473/14564	10/480015	POA1	12/13/07	✓
31146/MP1456	10/286800	POA1	12/17/07	✓
29257/P-733	10/712718	POF2	12/12/07	✓
29498/42009	11/847184	*COM	11/11/07	2 Dugs ✓
29488/41814	11/839306	*COM	10/30/07	2 Dugs ✓
	9/20/07			
30835/312959	11/301858	*COM	11/14/07	✓
31146/MP1788	11/846292	*COM	11/13/07	✓
30090/41005A	11/376789	SSP	12/17/07	✓
29621/60070	29/275471	SSP	12/13/07	✓
29006/TF01047B	10/883232	SSP	12/13/07	✓
28485/36749A	10/418365	SSP	12/12/07	✓
19006/39397	10/290637	Noncomp.	10/13/07	✓
29621/60071	29/275472	SSP	12/13/07	✓
30320/17593	10/736728	Noncomp.	10/12/07	✓
29498/38972C	11/849783	*COM	11/14/07	✓
28489/42934	29/284372	*COM	11/14/07	✓
29448/38977B	11/849788	*COM	11/14/07	✓
29995/41559	11/275462	POF2	12/14/07	✓
29314/39097	10/788260	Noncomp.	10/18/07	TRW
31174/30019	10/809779	Noncomp.	10/13/07	✓
29171/40579B	11/662352	*COM	11/14/07	✓
30005/42713	11/759667	*COM	11/17/07	✓
29314/639097B	11/077564	CASO	10/13/07	TRW
30882/10R20	10/524042	POF2	12/12/07	✓
29600/0320	10/519371	POA1	12/12/07	✓
29757/12-484	10/933631	POA1	12/13/07	✓
31181/08030A	10/910367	POA1	12/14/07	✓
21138/40976	10/738248	POA1	12/14/07	✓
01071/35530C	10/889948	POA1	12/14/07	✓
28362/3686E	11/772660	POF2	12/14/07	✓
0005/35589	10/672548	SSP	12/14/07	✓
19036/41347	10/542998	POA1	12/14/07	✓
29936/42082	11/490304	SSP	12/14/07	✓
29468/37487	10/174314	POF2	12/14/07	✓

ADH

9/20/07

30631/41823 11/572571 PUA 12/14/07 ✓  
29936/40882 10/878173 PUF 12/14/07 ✓  
27087/40785 11/197020 PUF 12/14/07 ✓  
29926/37044 10/821834 PUF 12/17/07 ✓

9/21/07

29976/47033 11/447197 PUF 12/18/07 ✓  
29915 10/652927 PUF 12/14/07 ✓  
30986/47046 10/588037 PUA 12/17/07 ✓  
30835/30443 10/375840 PUA 12/17/07 ✓  
29936/4130A 11/801006 PUA 12/17/07 ✓  
28076/511342 77/077822 PUA 3/21/08 ✓

9/24/07

29618/38938 10/626081 BSSP 12/17/07 ✓  
19036/41346 29/233644 BSSP 12/17/07 ✓  
20004/40530 10/571240 PUA 12/14/07 ✓  
30985/41486A 11/226162 CASO 10/14/07 ✓  
27087/39420 10/890780 CASO 10/14/07 ✓  
01017/36263A 10/933133 PUA 12/14/07 ✓  
31048/63051 77/210617 PUA 3/23/08 ✓  
29986/31203 11/127362 PUF 12/13/07 ✓

9/25/07

3292713 2M585 9/18/07 ✓  
3292712 " 9/18/07 ✓  
3292917 " 9/18/07 ✓  
3293690 " 9/18/07 ✓  
3292916 " 9/18/07 ✓

23004/34605B 10/301138 PUA 11/18/07 ✓  
00005/5678A 11/852786 PUA 11/19/07 ✓  
00005/59186S 11/850810 PUA 11/18/07 ✓  
20779/206B 11/665589 PUA 11/17/07 ✓  
20711/47753 11/791463 PUA 11/18/07 ✓

11/16/07

20572/47309 10/592331 PUA 11/17/07 ✓  
20882/0041 11/658682 PUA 11/17/07 ✓  
28444/43241 29/284429 PUA 11/18/07 ✓

200

9/25/07

27050143074 11/894119 XCOM 11/18/07 TRN  
30656142039A 11/852044 XCOM 11/18/07 ✓  
30047162005 77/056022 XUSE 3/18/08 ✓  
31183160007 77/049000 XUSE 3/18/08 ✓  
31183160016 77/048996 XUSE 3/18/08 ✓  
27087140002 11/032912 PUP 12/18/07 ✓  
27392130578 11/667897 XCOM 11/19/07 ✓  
27754126778 11/631064 XCOM 11/19/07 ✓  
2849314038A 11/828759 XCOM 11/19/07 ✓  
29925143195 11/897600 XCOM 11/19/07 ✓  
30815130080 11/100647 OR30 10/13/07 ✓  
27392126387 10/505463 PUA 12/17/07 ✓  
29794138219A 10/441583 PUA 12/18/07 TRN  
3087512850A 11/886544 OR30 10/18/07 ✓  
29473145005 10/477674 PUA 12/18/07 ✓  
29053130779A 11/1063280 PUA 12/18/07 ✓  
29476 77/240931 PUA 3/25/08 + 11/25/07 ✓  
29046131 PUA  
31094160005 77/206921 PUA 3/25/08 ✓  
9/26/07

3294765 PUA 9/18/07 ✓  
3294786 " 9/18/07 ✓  
3294916 " 9/18/07 ✓  
29018120068 11/854203 XCOM 11/18/07 ✓  
00005171838 11/854201 XCOM 11/18/07 ✓  
30011142576 11/663097 XCOM 11/18/07 ✓  
300111425 11/398293 PUA 12/19/07 ✓  
29017114558 29/084555 XCOM 11/20/07 ✓  
29475140104A 11/791346 XCOM 11/20/07 ✓  
30743141160A 11/828994 XCOM 11/20/07 ✓  
30051142580 11/805201 XCOM 11/20/07 ✓  
00005160755 11/852797 XCOM 11/20/07 ✓  
29017114559 29/084536 XCOM 11/20/07 ✓  
29520139149 10/389348 XCOM 11/19/07 ✓  
29930141209 11/125916 XCOM 12/19/07 ✓

PM

9/26/07

7949838717	10/611187	10P2	12/19/07 ✓
3088210136	1d569925	10P2	12/19/07 ✓
7740839775	1d481692	10A1	12/19/07 - TAN ✓
1903641512	1d558125	10A1	12/18/07 ✓
3088210008	1d820586	10P2	12/20/07 ✓
2867101006A	1d890781	10A1	12/20/07 ✓
7993910410A	11/121568	10A1	12/20/07 ✓
30875140855	1d403250	10A1	12/21/07 ✓
79401007449	1d548929	10P2	12/20/07 ✓
79401007315	1d509311	BSA/1	12/20/07 ✓
30835133585	11/192291	10A1	12/20/07 ✓
79936141286	11/160269	BSA/1	12/18/07 ✓
79401141575	11/259170	10P2	12/19/07 ✓
19036139164	10/442003	10P2	12/18/07 ✓
3085341342	11/146381	0A30	12/20/07 ✓
79905141504	11/288481	10P2	12/20/07 ✓
79939138528C	1d444474	BSA/1	12/20/07 ✓
7975711683A	1d395963	10P2	12/19/07 ✓
79407154009A	1d803349	BSA/1	12/20/07 ✓
7939125379	1d488348	10A1	12/20/07 ✓
30803138239	1d368816	10A1	12/19/07 ✓
794034139612	1d470104	10A1	12/19/07 ✓
79401007241	1d475027	10P2	12/20/07 ✓
30534138702	1d243060	BSA/1	12/19/07 ✓
31260140012	1d377315	BSA/1	12/21/07 ✓

9/27/07

19036140256	11/101102	GA30	12/19/07 ✓
79925141318	11/168102	BSA/1	12/19/07 ✓
30694141147	1d475175	10A1	12/20/07 ✓
79936140716A	11/702299	10A1	12/20/07 ✓
79936140800	1d879785	10A1	12/20/07 ✓
78444141109	11/089827	BSA/1	12/20/07 ✓
30607140130	1d499471	10A1	12/20/07 ✓
79827140800	1d522937	BSA/1	12/20/07 ✓
31461MP1483	1d677853	BSA/1	12/21/07 ✓

M

9/27/07

29930140700A 11/778504 BSA 12/10/07 ✓  
31048/62003 77/214296 PUA 3/26/08 ✓  
31048/62003 77/131626 PUA 3/27/08 ✓

9/28/07

27011(378)4 11/301419 PUA 12/10/07 ✓  
29930141775 11/797917 BSA 12/10/07 ✓  
30096/62000 77/214609 PUA 3/27/08 ✓

10/1/07

20049/60835 78/942497 PUA 4/1/08 ✓  
30051/47762 11/89/338 VCM 11/1/07 ✓  
29048/62070 11/854754 VCM+Aug 11/1/07 ✓  
30071/47754 11/667810 VCM+Aug 11/1/07 ✓  
19046/388045 11/204175 BSA 12/1/07 ✓  
30521/3150A 11/894929 VCM+Aug 11/1/07 ✓  
3293064 Rumsfeld 9/1/07 ✓  
28779/62000 11/657837 PUA 12/1/07 ✓  
28335/41765 11/319954 PUA 12/1/07 ✓

10/2/07

28144/43243 29/284825 VCM 11/1/07 ✓  
28144/43247 29/284822 VCM 11/1/07 ✓  
28144/43248 29/284824 VCM 11/1/07 ✓  
28144/43244 29/284821 VCM 11/1/07 ✓  
28144/43246 29/284820 VCM 11/1/07 ✓  
28144/43245 29/284819 VCM 11/1/07 ✓  
30793/42657 11/709628 VCM+Aug 11/1/07 ✓  
30766 11/857313 VCM 11/1/07 ✓  
19046/42801 11/719920 VCM 11/1/07 ✓  
30904/35918A 10/987549 CA30 10/1/07 ✓  
19036/42331 11/592556 NonComp. 10/1/07 ✓  
29337/41554 29/284796 VCM 11/1/07 ✓  
28144/43249 29/284816 VCM 11/1/07 ✓  
3298326 S/S 9/25/07 ✓  
3297799 Rumsfeld 9/25/07 ✓  
3298358 S/S 9/25/07 ✓  
12005/60752 78/896115 VUS 3/25/08 ✓

AM

10/2/07

28594/3000A	11/834580	ROOM	11/12/07	✓
30889/60003	77/049101	YUSE	3/25/08	✓
31048/60006	77/08/844	YUSE	3/25/08	✓
30948/60002	78/678332	YUSE	3/25/08	✓
28472/60504	78/709752	YUSE	3/25/08	✓
29448/12071	29/284670	ROOM	11/12/07	✓
29008/18009	29/284669	ROOM	11/12/07	✓
30521/31503	11/854944	ROOM	11/12/07	✓
29001/135888	11/853569	ROOM	11/12/07	✓
29001/160001	29/275606	SSAUS	12/10/07	✓
29001/160002	29/275607	SSAUS	12/10/07	✓
31055/41764	11/318903	CA30	10/12/07	✓
29001/160005	29/275610	SSAUS	12/10/07	✓
29001/41387	11/158615	PUF2	12/12/07	✓
29001/160023	10/526804	CA30	10/12/07	✓
29001/160057	29/275602	SSAUS	12/10/07	✓
30001/139080	10/344196	Rephthal	10/12/07	✓
30875/41117	10/939684	PUF2	12/14/07	✓
29001/41300	11/146169	PUA1	12/14/07	✓
29001/41641	11/269095	PUA1	12/14/07	✓
29001/57859	11/120217	PUF2	12/12/07	✓
29001/41104	10/530373	PUA1	12/14/07	✓
29001/41777	11/275419	SSAUS	12/14/07	✓
29001/42093	11/491584	PUA1	12/14/07	✓
30320/14897	10/377211	PUA1	12/14/07	✓
30320/19147	10/883423	PUA1	12/14/07	✓
29475/39204	10/720862	PUA1	12/14/07	✓
30675/41510	10/549085	PUA1	12/14/07	✓
29001/41629	11/272542	PUF2	12/14/07	✓
29001/41120	11/039247	CA30	10/12/07	✓
27636/396663	10/945354	CA30	10/12/07	✓
27330/46649	11/121659	PUA1	12/14/07	✓
27392/4540	29/271009	PUA1	12/14/07	✓
30846/41015	11/114493	PUA1	12/14/07	✓
30071/39796	10/73793	PUF2	12/14/07	✓

Arch

10/2/07

30205141583 11/265734 PUA 12/26/07 ✓  
2985437024 10/649974 MA 12/26/07 ✓  
1903041589 10/554901 PUA 12/24/07 ✓  
0600940577 11/156215 MA 12/24/07 ✓  
2786634804 11/102284 0A30 10/24/07 - ucl  
3052438137 10/238077 0A30 10/29/07 ✓  
2987140801 10/573080 PUA 12/29/07 ✓  
2769440200 11/150053 0A30 10/29/07 ✓  
29021160058 29/275603 BSA 12/26/07 ✓  
29021160059 29/275604 BSA 12/26/07 ✓  
10/84480 0A30 10/25/07 - TRA  
10/377315 BSA 12/10/07 ✓  
10/3/07

290211600144 11/272996 BSA 12/28/07 ✓  
30521130724 11/782690 NonComp. 10/27/07 ✓  
300231410144 11/492460 NonComp. 10/28/07 ✓  
30694141508 10/952331 NonComp. 10/28/07 ✓  
29925141558 11/275459 PUF 12/25/07 ✓  
01071373714 11/047064 PUA 12/25/07 ✓  
00005140819 11/082265 PUF 12/25/07 ✓  
28574138247 10/049953 Quay 11/25/07 ✓  
29934141185 10/901876 BSA 12/27/07 ✓  
30021160001 27/055470 PUA 4/3/08 ✓  
27/218846 PUA 4/3/08 ✓  
10/4/07

31193140641 11/708996 PUA 12/27/07 ✓  
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30835193959A 11/375726 0A30 10/28/07 ✓  
30850140350 09/485572 BSA 12/28/07 - RN  
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300301397059A 11/079877 BSA 12/27/07 ✓  
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30835120614 10/8876359 PUA 12/21/07 ✓

RM



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 30631/40328 10/910055 PUF2 12/26/07 ✓  
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 29936/40365 11/159898 PUF2 11/1/08 ✓  
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 29751/407 10/118414 PUA1 12/27/07 -TRN ✓  
 30952/41549 11/252269 PUA1 12/27/07 ✓  
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 06005/56793B 11/858430 XCOMTNG 12/11/07 ✓  
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 29936/40371 11/593914 PUA1 12/28/07 ✓  
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 29929/41247 11/150026 PUA1 1/1/08 ✓

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 28349 3302460 " 10/21/07 ✓  
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10/9/07

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PMA

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29936/41079A 11/420037 POF2 1/5/08 ✓

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30835140617 11/020468 PUF 11/11/08 ✓

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 29853/37202B 11/508780 KUA 1 1/12/08 ✓  
 31138/40982 11/013435 POA 1 1/12/08 ✓  
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 30853/4039A 11/052334 POA 1 1/11/08 ✓  
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 30056/62031 77/225831 POA 4/18/08 + 12/18/07 ✓  
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 30003/41377 11/863172 KCOM 12/11/07 ✓  
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 31048/60007 77/23021 PTAA 4/19/08 ✓  
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 20003/39948 10/484125 BSA 1/18/08 ✓  
 28924/60483 78/426901 PTAA 4/17/08 ✓  
 30846/30001 11/186459 Noncomp 1/16/07 ✓  
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 30883/60000 78/917896 KUSE 4/16/08 ✓

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29827/40333	16/502212	PUF2	11/18/08 ✓
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30320/21047	11/173836	PUA1	11/18/08 ✓
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31000/41430	29/234401	BSR	11/17/08 ✓

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 30521/30703 10/77804 PUA 1 1/17/08 ✓  
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 28700/31384 10/920574 PUF2 1/18/08 ✓  
 27696/38920A 10/700752 PUF2 1/16/08 ✓  
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 30478/60007 77/227997 PUA 4/23/08 ✓  
 30478/60009 77/227983 PUA 4/23/08 ✓

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 27051/37767R 90/000098 PUA 1 1/18/07 ✓  
 30320/19144 10/881431 PUF2 1/18/08 ✓

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 30743/41655A 11/599041 PUA 1 1/18/08 - TRN  
 30835/33424 11/413505 PUA 1 1/18/08 ✓  
 30815/34561 11/399278 PUF2 1/19/08 ✓  
 30320/14834 10/302281 PUF2 1/19/08 ✓  
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 29936/41579 11/164608 PUA 1 1/18/08 ✓

PAU



## **Exhibit G**

Our Ref.	Country	Inventors	Appl. No.	Due Date	Code	Reply Date	Action Due
01017 30013	UNITED STATES	WALKER ET AL.	10/407078	9 24 7	POF1	9 24 7	AMDT/RESP;PET W/DRAW E-FILED
01017 30013	UNITED STATES	WALKER ET AL.	10/407078	9 24 7	ATTN	10 15 7	OFF PER DAG DOCKET
06005 40264	INDONESIA	GOSSETT, J.	200702070	9 24 7	ATTN	11 8 7	INSTR AG RE: POA/DECL/ASSN
06005 561684	PATENT COOPERATION TREATY	CATRON, F.	US07/09323	9 24 7	RESP	9 21 7	WITHDRWN-CONFRM'D PER WIPO/KKM
06005 561754	PATENT COOPERATION TREATY	UHLENBERG ET AL	US07/60990	9 24 7	*PCT	9 28 7	OFF PER DCR DOCKET
06005 591614	JAPAN	CHEN ET AL.	2007-254089	9 24 7	RESP	5 22 8	OFF PER RAH DOCKET
06005 591811	JAPAN	NIXON ET AL.	2007-253869	9 24 7	RESP	9 21 7	DONE PER RAH LTR TO AGENT
20022 40024	UNITED STATES	DRAGHETTI ET AL	10/489722	9 24 7	STAT	5 8 7	ONLINE INQUIRY
27373 41491A	PATENT COOPERATION TREATY	SMITH ET AL.	US07/61002	9 24 7	*PCT	9 28 7	OFF PER JPZ DOCKET
27978 37504A	BRAZIL	SAITO ET AL.	I0212773-3	9 24 7	TX06	5 20 7	PAID PER CPA
27978 37504A	CANADA	SAITO ET AL.	2460759	9 24 7	EXAM	5 5 4	OFF PER AGENT LETTER
27978 37504A	CANADA	SAITO ET AL.	2460759	9 24 7	TX06	5 20 7	PAID PER CPA
27978 37504A	EUROPEAN PATENT OFFICE	SAITO ET AL.	02761809.9	9 24 7	TX06	5 20 7	PAID PER CPA
28216 41022A	PATENT COOPERATION TREATY	SPINDLER ET AL.	US06/06611	9 24 7	RESP	9 14 7	OFF PER JJN DOCKET
28216 41022A	PATENT COOPERATION TREATY	SPINDLER ET AL.	US06/06611	9 24 7	RMD	9 14 7	OFF PER JJN DOCKET
28341 6086PCPBR	BRAZIL	BROWN, S.	9808256-6	9 24 7	RESP	9 14 7	OFF PER MM DOCKET
28341 6314.PEP	EUROPEAN PATENT OFFICE	HOLDEN, D.	98932371.2	9 24 7	ATTN	9 25 7	INSTR. AGENT RE: 10/06/07 RESP
28506 39317	UNITED STATES	GUPTAIL, W.	60/613137	9 24 7	STOR	3 3 8	FILE SENT TO IM

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28570 10290	NORWAY	DARLINGTON ET AL	20034259	9 24 7	TX05	6 7 7	PAID PER CPA
28570 10291	NORWAY	DARLINGTON ET AL	20034258	9 24 7	TX05	6 7 7	PAID PER CPA
28911 36128	UNITED STATES	HOPKINS, A.	09/485245	9 24 7	POF1	12 11 7	2 MONTH FINAL ACTION W/O FEE
29501 40428	UNITED STATES	SANDERS, A.	60/613138	9 24 7	STOR	3 3 8	FILE SENT TO IM
29516 38347	UNITED STATES	HAMER, T.	10/675431	9 24 7	EXT1	9 17 7	PET,RCE E-FILED
29794 41011B	PATENT COOPERATION TREATY	DVORAK ET AL.	US06/06972	9 24 7	31ST	6 12 7	31ST MONTH-ENTER NAT'L STAGE
29853 40438	EUROPEAN PATENT OFFICE	PHAM ET AL.	05781055.8	9 24 7	RESP	10 1 7	OFF PER MPB DOCKET
29925 42795	UNITED STATES	YANG, H.	11/770872	9 24 7	*COM	8 17 7	RESP/DWGS - E-FILED
30530 40073	UNITED STATES	DAYAN, N.	60/613034	9 24 7	STOR	3 3 8	FILE SENT TO IM
30530 40777B	EUROPEAN PATENT OFFICE	DAYAN ET AL.	05854825.6	9 24 7	RESP	9 14 7	OFF PER JJN DOCKET
30835 193515	RUSSIA	GUPTA ET AL.	2003112059	9 24 7	RESP	12 14 7	OFF PER WJK DOCKET
30835 320385	UNITED STATES	UPADHYAY ET AL.	11/770818	9 24 7	*COM	9 10 7	FIRST PRELIM.AMDT - E-FILED
30835 320385	UNITED STATES	UPADHYAY ET AL.	11/770818	9 24 7	RESP	10 19 7	PET,SUBSTITUTE SPEC. E-FILED
30850 41848	ARGENTINA	HAMMOND ET AL.	070103361	9 24 7	RESP	9 13 7	MISSING DOCS DUE (PER EMAIL)
30882 MEY5103	UNITED STATES	MEYER ET AL.	10/748084	9 24 7	POF1	9 24 7	RESPONSE - E-FILED
30965 GD0042A	CHINA	NIEVES, K.	200710146497.8	9 24 7	ASSN	9 28 7	OFF PER JPZ DOCKET
30965 GD0042A	CHINA	NIEVES, K.	200710146497.8	9 24 7	CERT	9 28 7	OFF PER JPZ DOCKET
31126 41460	UNITED STATES	LEDBETTER ET AL	11/659904	9 24 7	*COM	9 24 7	RSP/E.DECL;STM,SEQ.LIST-EFILED

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Our Ref.	Country	Inventors	Appl. No.	Due Date	Code	Reply Date	Action Due
31336 40958	UNITED STATES	ZONG ET AL.	60/860903	9 24 7	PRO1	9 28 7	OFF PER JPZ DOCKET
31353 32000A	PATENT COOPERATION TREATY	ZWIRKOSKI, P.	US06/06638	9 24 7	31ST	10 1 7	OFF PER JRK DOCKET
31376 7004	CANADA	WATKINS, S.	2459508	9 24 7	EXAM	9 24 7	DONE PER AGENT LTR

\* \* \* E N D O F R E P O R T \* \* \*

Our Ref.	Country	Inventors	Appl. No.	Action Due	Code	Reply	Date	Reply
06005 36801	GREAT BRITAIN	HAVEKOST ET AL.	00122847.7	9 24	7 TX07	4	25 7	PAID PER CPA
06005 38043	CHINA	WOJSZNIS ET AL.	03158498.5	9 24	7 RESP	9	14 7	RESP.DONE PER RAH LTR. TO AGNT
06005 39276	EUROPEAN PATENT OFFICE	METSCHKE, C.	04714593.3	9 24	7 RESP	9	11 7	RESPONSE DUE-FILED PER AG LTR
06005 39297	EUROPEAN PATENT OFFICE	LAW, S.	04814287.1	9 24	7 RESP	5	22 8	OFF PER RAH DOCKET
13024 36097	ISRAEL	MCMICHAEL ET AL	148071	9 24	7 RESP	10	1 7	OFF PER JSS DOCKET
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29936 41579	UNITED STATES	LEE, J.	11/164608	9 24	7 RESP	9	20 7	AMENDMENT - E-FILED

05/14/09 09:19:01

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Master Issued Patent Docket - Sept. 24, 2007

PAGE 2

05/14/09 09:21:01

Master Trademark Application Docket - Sept. 24, 2007

PAGE 1

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27428	61666	UNITED STATES	TWIN COAG	78/331328	9 24 7	USE	9 5 7	STATE. OF USE DUE IN 1 MONTH
30660	60045	UNITED STATES	PARROT PARTY	77/173461	9 24 7	RESP	9 14 7	OFF PER JA DOCKET

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05/14/09 09:26:01

Master Trademark Registration Docket - Sept. 24, 2007

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28048	21196	PORTUGAL					
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## **Exhibit H**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: March 24, 2009

Signature: 

(Marshall P. Byrd)

Docket No.: 30986/40924  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Martin A. Crockard et al.

Application No.: 10/570,588

Filed: March 3, 2006

For: Diagnosis of Risk of Breast Cancer

Confirmation No.: 7390

Art Unit: 1645

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Madame:

In response to the Notification of Defective Response allegedly mailed on August 24, 2007, Applicants respectfully submit a computer-readable form of the Sequence Listing (.txt) and a Sequence Listing Paper Copy (.pdf).

I hereby state that the content of the paper (.pdf) and computer readable (.txt) copies of the Sequence Listing, submitted herewith are in accordance with 37 C.F.R. §§1.821 and 1.825, are the same and include no new matter.

Dated: March 24, 2009

Respectfully submitted,

By 

Marshall P. Byrd

Registration No.: 62,454

MARSHALL, GERSTEIN & BORUN LLP  
233 S. Wacker Drive, Suite 6300  
Sears Tower  
Chicago, Illinois 60606-6357  
(312) 474-6300  
Agents for Applicant

# SEQUENCE LISTING

<110> Randox Laboratories Ltd.

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